

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

A.M.Dept., - Suits – High Court of Andhra Pradesh – W.P.No.5708/2004 –
Filed by M/s.T.S.R.Cold Storage Private Limited, Chillakuru, Nellore District –
Representation rejected - Orders – Issued.

AGRICULTURE AND COOPERATION (A.M.II) DEPARTMENT

G.O.Rt.No 968

Dated: 06-8-2008
Read the following:

- 1) From the A.P.High Court,, Judgement on 27.4.2007 in W.P.No.5708 of 2004.
- 2) Govt.Memo.No.6515/Mktg.II(2)/2007-1, dated 5.5.2007.
- 3) From the Commissioner and Director of Agril.Marketing,A.P.Hyderabad,
Letter No.E1/96/2004, dated 2.8.2007.
- 4) Representation M/s.TSR Cold Storage Private Ltd.,Chillakuru Mandal,
Nellore District, dated 5.10.2007.
- 5) From the Chairman and Managing Director, APSPDCL, Tirupati. Letter
No.CGM(Expn) /GM@/ SAO@/AAO/@/JAo(ht)/d.No.1223/07,
Dated 17.12.2007.

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ORDER:

In the reference 1st read above Hon'ble High Court, Hyderabad observed that though certain reasons stated by the 3rd respondents i.e. A.P.Transco in the counter affidavit, unless specific orders are passed and communicated to the petitioner, he would be disable from pursuing remedies The period of 3 years has already expired. In case the petitioner in extended the benefit it would provide substantial relief to it. The matter cannot brook any further delay. The Hon'ble High Court therefore directed the 1st respondent i.e. Principal Secretary to Government, Agriculture and Cooperation Department to passed specific reasons orders on the representation made by the petitioner within a period of four weeks from the date of receipt of a copy of this order.

In the reference 3rd read above, the Commissioner & Director of Agril.Marketing, A.P. Hyderabad has stated that in G.O.Ms.No.108, Industries and Commerce (IP) Department, dated 20.5.1996, have introduced a new industrial policy 'TARGET- 2000' in order to accelerate industrial development of the State. Under this policy, all new industries including cold storage units were eligible for 25% rebate in power bills for a period of (3) years from the date of commencement of commercial production. The rebate shall be allowed by the APSEB in their monthly Bills. The scheme was inoperation from 15.11.1995 to 31.3.2000. He has further stated that in G.O.Ms.No.211, Agriculture and Cooperation (Mktg.II) Department dated 2.7.1999 Govt. have also introduced the scheme "A.P.State Agricultural Marketing Committees Capital Investment Scheme for Cold Storage Units/Cold Chains 1999". The scheme was in operation from 1.7.99 to 31.3.2001. In the said G.O., it is mentioned that 25% rebate in power bills for a period of (3) years from the date of commencement of commercial production shall be allowed by the A.P.State Electricity Board in their monthly bills as per G.O.Ms.No.108, Industries and Commerce (IP) Department, dated 20.5.1996.

He has further stated that the 25% power rebate was in force from 15.11.1995 to 31.3.2000 as per G.O.Ms.No.108, Industries and Commerce (IP) Department, dated 20.5.1996 whereas the units started functioning from 24.3.2001 by which date the scheme of allowing 25% power rebate was already over, therefore requested the Government to dispose off the representation.

In the reference 4th read above, M/s.TSR Cold Storage Private Limited, Chillakuru Mandal, Nellore District has requested the Govt. to pass appropriate orders considering that the cold storage units are economically weak and that unless there is a

shelter from Government it can not survive in any manner. In the reference 5th read above, among other things the Chairman and Managing Director, APSPDCL, Tirupati has stated that the Director of Marketing recommended for extension of the benefit to M/s TSR Cold Storage Pvt Ltd, Nellore vide his letter dated 17.12.2007

He has further stated that 25% on Electricity Charges is allowed to the New Industries which were started production after 31.3.2000 by the A.P.S.P.D.C.L., as the TARGET 2000 scheme ended by 31.3.2000. An amount of Rs.4,90,746.48 arrived towards 25% rebate on Electricity charges and fixed charges to M/s TSR Cold Storage Private Limited for the period from 22.9.2000 to 21.9.2003. He has finally requested that an amount of Rs.4,90,746.40 towards 25% rebate on Electricity charges and fixed charges will be allowed to M/s T.S.R.Cold Storage, Chhillakaur, Nellore District only on payment of the same by the Agriculture and Cooperation (Mktg.II) Department/Director of Marketing, A.P.Hyderabad as the TARGET-2000 Scheme ended by 31.3.2000. and requested for arranging the payment at an early date.

Government after careful consideration observe that allowing 25% power rebate ordered in G.O.Ms.No.211, A.&C(Mktg.II) Deptt., dated 2.7.1999 read with G.O.Ms.No.108, Industries and Commerce Department, dated 20.5.1996 will be from 1.7.1999 to 31.3.2000 and the firm started commencing operation from 24.3.2001 through was power supplied power on 22.8.2000 i.e. after closure of the scheme, therefore there is no merit in the request of the petitioner.

Accordingly, Government hereby reject the representation of M/s.TSR Cold Storage Private Limited, Chillakuru Mandal, Nellore District for power rebate.

(BY NAME AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
PRL. SECRETARY TO GOVERNMENT

To

M/s.TSR Cold Storage Private Ltd., Chillakuru Mandal, Nellore District. Through the Commissioner and Director of Agril.Marketing, A.P.Hyderabad.

Copy to the Commissioner and Director of Agril.Marketing, A.P.Hyderabad.

Copy to the APTRANSCO, Hyderabad.

Copy to the Chairman and Managing Director, APSPDCL, Tirupati.

Copy to P.S. to Prl. Secretary to Government(C&AM).

SF/SCs.

//Forwarded :: By Order//

SECTION OFFICER